

# **Zoning & Subdivision Report**

Planning & Development Department ~ 417/864-1611  
840 Boonville Avenue ~ Springfield, Missouri 65801

## **ZONING ORDINANCE AMENDMENT: FRONT YARD**

**DATE:** December 30, 2009

**PURPOSE:** To amend the Zoning Ordinance reduce front yard setbacks in the commercial and industrial zoning districts

### **STAFF COMMENTS:**

1. City Council approved a resolution (G.O. 9558) on December 11, 2007 to initiate a text amendment to the Zoning Ordinance that would reduce front setbacks in commercial districts in certain circumstances. Staff has determined that within the commercial and industrial/manufacturing districts if located on a local street that it is appropriate for buildings to be set closer to the street which are typically setback at least twenty-five (25) feet.
2. This amendment will not reduce minimum building setbacks along streets classified as collector or higher because visibility of and by vehicles on intersecting streets and driveways is important on streets whose function is to move higher volumes of traffic.
3. This amendment also places an option to reduce the minimum front yard setbacks further on a case by case basis through a conditional use permit or preliminary plat. This would allow for public comment and consideration on each case at Planning Commission and City Council.
4. The reduction of the front yard setbacks will not change the required right-of-way widths for streets, sidewalks, stormwater, sanitary sewer or other utilities because the setback will be measured from the right-of-way centerline which is determined by the classification of the street.
5. The proposed reduction on streets classified as locals will allow buildings to set closer to the street and sidewalk which provides greater safety to pedestrians. It will also bring many non-conforming structures into conformance with their respective commercial or industrial zoning district. This amendment will not require buildings to be set along the front; rather it will allow more flexibility during development so that off-street parking may be provided

behind the structure instead of in the front. In many cases, a twenty-five (25) foot minimum building setback does not make placing a building at the front financially feasible or allow an owner to maximize the development of a property.

6. This amendment will affect the Office, Limited Business, General Retail, Highway Commercial, Restricted Industrial, Light Industrial, General Manufacturing, Heavy Manufacturing, and Industrial Commercial zoning districts. Commercial and industrial districts that already have no minimum setbacks will not be affected. This amendment will not affect any of the residential zoning districts.
7. Public Works Traffic Engineering supports the proposed text amendment.

**RECOMMENDATION:** Staff recommends **approval**.

**STAFF CONTACT PERSON:**

Daniel Neal  
Senior Planner

ATTACHMENT A  
PROPOSED FRONT YARD TEXT AMENDMENT

New text is underlined and deleted text is ~~overstruck~~

**Section 4-2005. Bulk and Intensity of Use Restrictions.** (O, Office)

- C. Minimum yard requirements (additional bufferyard may be required by *Subsection 4-2008*):
1. Front yard: ~~Twenty-five (25) feet or as required by Section 5-1300.~~
    - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
    - b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
    - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-3005. Bulk and Intensity of Use Restrictions.** (LB, Limited Business)

- C. Minimum yard requirements (additional bufferyard may be required by *Subsection 4-3008*):
1. Front yard: ~~Twenty-five (25) feet or as required by Section 5-1300.~~
    - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
    - b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
    - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-3105. Bulk and Intensity of Use Restrictions.**

*(GR, General Retail)*

- C. ~~Yard requirements~~ Minimum yard requirements (additional bufferyard may be required by Subsection 4-3108):

1. ~~Front yard: Twenty five (25) feet or as required by Section 5-1300.~~
  - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
  - b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
  - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-3205. Bulk and Intensity of Use Restrictions.**

*(HC, Highway Commercial)*

- C. Minimum yard requirements (additional bufferyard may be required by Subsection 4-3208):

1. ~~Front yard: Twenty five (25) feet or as required by Section 5-1300.~~
  - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
  - b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
  - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-4005. Bulk Regulations.**

*(RI, Restricted Industrial)*

- C. Minimum yard requirements (additional bufferyard may be required by Subsection 4-4008):

1. ~~Front yard: Twenty five (25) feet or as required by Section 5-1300.~~

- a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
- b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
- c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-4105. Bulk Regulations.**

*(LI, Light Industrial)*

C. Minimum yard requirements (additional bufferyard may be required by Subsection 4-4108):

- 1. Front yard: ~~Twenty-five (25) feet or as required by Section 5-1300.~~
  - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
  - b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
  - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-4205. Bulk Regulations.**

*(GM, General Manufacturing)*

C. Minimum yard requirements (additional bufferyard may be required by Subsection 4-4208):

- 1. Front yard:
  - a. Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: ~~Twenty-five (25) feet or as required by Section 5-1300.~~
    - 1. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
    - 2. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.

3. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-4305. Bulk Regulations.**

*(HM, Heavy Manufacturing)*

- C. Minimum yard requirements (additional bufferyard may be required by *Subsection 4-4308*):

1. Front yard:

- a. Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: ~~Twenty-five (25) feet or as required by Section 5-1300.~~
  1. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
  2. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
  3. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.

**Section 4-4405. Bulk Regulations.**

*(IC, Industrial Commercial)*

- C. Minimum yard requirements (additional bufferyard may be required by *Subsection 4-4408*):

1. Front yard: ~~Twenty-five (25) feet or as required by Section 5-1300.~~

- a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by Section 5-1300.
- b. Fifteen (15) feet along a street classified as a local street or as required by Section 5-1300.
- c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with Section 3-3300 or an approved preliminary plat in accordance with the City's Subdivision Regulations.